

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
FAYETTEVILLE DIVISION

IN RE:

TOPPOS, LLC

CASE NO. 23-02889-5-PWM

DEBTOR

CHAPTER 7

IN RE:

PRAIRIE KNOLLS MHP, LLC

CASE NO. 24-03432-5-PMW

DEBTOR

CHAPTER 11

**RESPONSE TO 21<sup>ST</sup> MORTGAGE CORPORATION'S MOTION FOR RELIEF  
FROM AUTOMATIC STAY**

John C. Bircher, III, as Chapter 7 Trustee (the "Trustee") for TOPPOS, LLC ("TOPPOS" or the "Debtor"), and as Interim Chapter 11 Trustee of Prairie Knolls MHP, LLC responds to 21<sup>st</sup> Mortgage Corporation's ("21<sup>st</sup>") Motion for Relief from Automatic Stay as follows:

1. Trustee is informed and believes that 21<sup>st</sup> only has a security interest in TOPPOS owned personal property, and that this Motion is an attempt to lift the stay as to certain manufactured homes located in Prairie Knolls MHP, LLC, a Chapter 11 Debtor in this Court.

2. To the extent that the Movant is seeking Stay relief on property located in Prairie Knolls MHP, LLC, Trustee requests an opportunity to be heard concerning the status of all personal property located in Prairie Knolls MHP, LLC in order to clarify for the record and for the parties in interest the status of manufactured homes in this park.

WHEREFORE, Trustee requests a hearing on this matter, and Trustee further consents to the hearing being set more than 30 days from the filing of this Motion.

Dated: October 31, 2024

s/John C. Bircher III  
John C. Bircher III  
N.C. State Bar No. 24119  
DAVIS HARTMAN WRIGHT LLP  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that he is over eighteen (18) years of age and the **RESPONSE TO 21<sup>ST</sup> MORTGAGE CORPORATION'S MOTION FOR RELIEF FROM AUTOMATIC STAY** was this day served upon the parties listed via first class mail bearing sufficient postage and/or electronically as indicated.

Brian C. Behr, Esq.  
Bankruptcy Administrator  
(via CM/ECF)

Benjamin A. Barco  
Attorney for 21st Mortgage Corporation  
(via CM/ECF)

Richard P. Cook  
Patrick Dorsey  
Attorney for Prairie Knolls MHP, LLC  
(via CM/ECF)

Toppos LLC  
Prairie Knolls MHP, LLC  
Attn: Manager or Agent  
401 E. Las Olas Blvd., Suite 130-161  
Fort Lauderdale, FL 33301

Dated: 10/31/2024

s/John C. Bircher III  
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